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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF ILLINOIS, EASTERN DIVISION

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. James E. Ryan, Attorney General of
the State of Illinois,

Plaintiff,

v.

AMOCO CHEMICAL COMPANY, d/k/a
BP AMOCO CHEMICAL COMPANY,
a Delaware Corporation, a/k/a BP Amoco,
a Delaware corporation,

Defendant.

Civil Action No. 94-C-0869

Honorable Paul E. Plunkett

AGREED MOTION TO LODGE CONSENT DECREE

The parties, by and through their undersigned counsel, hereby move this Court to accept the lodging of the attached proposed Supplemental Consent Decree for Remedial Design and Remedial Action. As the basis for this motion, the parties aver as follows:

1. In 1994, the People of the State of Illinois ("State") brought this action against Defendant Amoco Chemical Company (n/k/a BP Amoco Chemical Company) under Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9607, and Section 22.2 of the Illinois Environmental Protection Act, 415 ILCS 5/22.2 (1998). The State's complaint seeks (1) recovery of costs incurred and to be incurred by the State at the Amoco Chemical Company Joliet Landfill Site in Will County, Illinois (the "Site"), plus accrued interest, and (2) performance of studies and response work by the Defendant at the Site consistent with the National Contingency Plan, 40 CFR Part 300 (as amended) ("NCP").

2. Concurrent with the filing of the complaint, the parties filed and the Court entered a Consent Decree providing for, among other things, the performance of certain studies and investigations at the Site.

3. The State and the Defendant have entered into, and by this motion the parties propose to lodge with the Court, a proposed Supplemental Consent Decree providing for, among other things, the design and implementation of certain response work.

4. In conformance with CERCLA Section 122(d)(2), 42 U.S.C. § 9622(d)(2), the State will publish notice of the lodging of the Supplemental Consent Decree in the Illinois Register. Pursuant to CERCLA, the Supplemental Consent Decree must be on file with the Court for a period of thirty (30) days to allow for public comment.

5. The Court should not sign the proposed Supplemental Consent Decree until the public has had an opportunity to comment and the State has addressed those comments, if any.

6. The State may withhold its consent to the proposed Supplemental Consent Decree if the comments disclose facts or considerations which indicate that the proposed Supplemental Consent Decree is improper, inappropriate, inadequate, or not in the public interest.

6. At the conclusion of the public comment period, the State will: (1) file with the Court any written comments that it received pertaining to the proposed Supplemental Consent Decree; and (2) either notify the Court of its withdrawal of the proposed Supplemental Consent Decree, or respond to comments received and request this Court to sign and enter the proposed Supplemental Consent Decree.

For the foregoing reasons, the parties respectfully request that the Court accept the lodging of the attached proposed Supplemental Consent Decree.

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WHEREFORE, the undersigned parties enter into this Supplemental Consent Decree

in the matter of People of the State of Illinois v. Amoco Chemical Company, relating to the Amoco Chemical Company Joliet Landfill Superfund Site described herein, and present it to this Court so that it may be approved and entered.

Respectfully submitted,

On behalf of the Plaintiff:

On behalf of the Defendant:

PEOPLE OF THE STATE OF ILLINOIS

BP AMOCO CHEMICAL COMPANY

ex rel. JAMES E. RYAN,
ATTORNEY GENERAL OF THE
STATE OF ILLINOIS

MATTHEW J. DUNN, Chief
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Dated: 4/21/00

Dated: 21 April 2000